

Entered - 12/28/00 - sb  
CL 00L0752 - GWENDOLYN BURNS

CLAIM OF: ALFRED ROBINSON  
4580 Woodcroft Cove  
Snellville, Georgia 30039

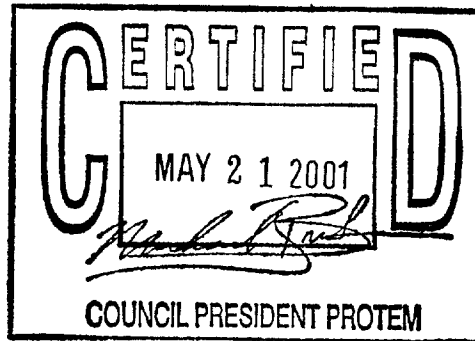
01-*R*-0694

CONSENT AGENDA

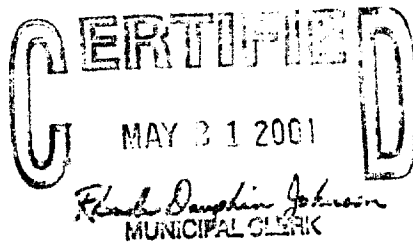
For vehicular damages alleged to have been sustained from driving over  
a sewer catch basin on October 26, 2000 at 1005 Greenwood Avenue.

THIS ADVERSED REPORT IS  
APPROVED

BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY *Robson, City DCN*



*ADVERSED* MAY 21 2001





## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

May 24, 2001

Alfred Robinson  
4580 Woodcroft Cove  
Snellville, GA 30039

01-R-0694

Dear Mr. Robinson:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on May 21, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0752

Date: May 2, 2001

Claimant /Victim ALFRED ROBINSON  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: 4580 Woodcroft Cove, Snellville, Georgia 30039  
Subrogation: \_\_\_\_\_ Claim for Property damage \$ 1,007.52 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 12/7/00 Method: Written, Proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 10/26/00 Place: 1005 Greenwood Avenue  
Department PUBLIC WORKS Division SEWER OPERATIONS  
Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges that his vehicle sustained damage when he struck a sewer catch basin that was positioned above the level of the curve. An investigation determined that the catch basin was properly positioned and installed. Claimant failed to exercise caution when turning into the driveway adjacently located to the storm drain.

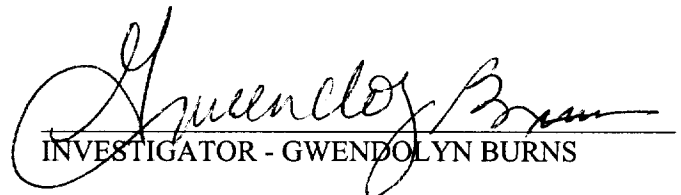
INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other X  
Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other X Damages reasonable \_\_\_\_\_  
City not involved X Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Claims Manager:  Concur/date \_\_\_\_\_  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 10/30/00

ENTERED - 12-28-00 - SB  
00L0752 - GWEN BURNS

1,007.52 + property

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1,007.52 and/or \$ N/A bodily injury for which I contend the City is liable.

1. Date of incident: 10/26/00 (month/day/year) 2. Time of Incident: 7:20pm 3. Police called: X Yes No
4. Location of incident (including street address): 1005 Greenwood Ave
5. Name of your insurance company: State Farm Policy No. 194-2385-A19-11
6. State what and how incident occurred: See Attached paper work.

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: Bmw 328i 99 (KYR) Kimberly Robinson  
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: \_\_\_\_\_  
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: Sean Greenwood 1005 Greenwood Ave 4) 607-8358  
(Name) (Address) (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign Immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Alfred Robinson  
Signature of Claimant

Alfred Robinson  
(Print Claimant's Name)

4580 Woodcroft Cove  
(Address)

Snellville Ga. 30039  
(City, State and Zip Code)

4) 896-9019 7) 922-6645  
(Work Number) (Home Number)

October 30, 2000

Alfred Robinson  
4580 Woodcroft Cove  
Snellville, GA 30039

Council of the City of Atlanta  
Municipal Clerk  
City Hall  
55 Trinity Ave.  
Atlanta, GA 30335

RE: Claim for Damages

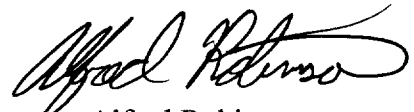
On 10/26/00 my wife Kimberly Robinson was visiting a friend at 1005 Glenwood Ave. While pulling into the driveway her right front bumper struck a raised sewage fixture. Which caused moderate damage beneath the right front bumper of the vehicle. The skirt cover that was connected to the bottom of the bumper was torn completely off of the vehicle. It covered several electrical components.

The witness Sean Greenwood stated that ever since the City of Atlanta placed the sewage fixture there. He has observed several vehicles suffer damage caused by the fixture. He stated that he had forgotten to tell her to park on the street instead of his driveway.

The residential neighborhood is located in a very busy restaurant/club district in the North Highland area. The patrons park on both sides of the streets all through the neighborhood visiting the local business. Therefore causing parking to be very tight during those hours.

I have included some pictures of the accident scene, two estimates of repair, a copy of my vehicle registration and a police report.

Sincerely,



Alfred Robinson

01- R -0694

*President Pro Tem Bond Presided*

RCS# 2865  
5/21/01  
1:48 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 16

ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 2

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	Y Thomas
B Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	B Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
01-O-0721  
01-O-0752  
01-O-0753  
01-O-0494  
01-O-0712  
01-R-0763  
01-R-0765

CONSENT

**ITEMS ADOPTED  
ON CONSENT  
AGENDA**

1. 01-O-0582
2. 01-O-0583
3. 01-O-0584
4. 01-O-0585
5. 01-O-0586
6. 01-O-0587
7. 01-O-0742
8. 01-O-0748
9. 01-O-0715
10. 01-O-0723
11. 01-O-0751
12. 01-O-0754
13. 01-O-0755
14. 01-O-0756
15. 01-O-0106
16. 01-O-0495
17. 01-O-0496
18. 01-O-0497
19. 01-O-0498
20. 01-O-0567
21. 01-O-0568
22. 01-O-0569
23. 01-O-0616
24. 01-O-0638
25. 01-O-0643
26. 01-O-0665
27. 01-O-0716
28. 01-O-0759
29. 01-R-0667
30. 01-R-0669
31. 01-R-0670
32. 01-R-0656
33. 01-R-0675
34. 01-R-0676
35. 01-R-0725
36. 01-R-0744
37. 01-R-0750
38. 01-R-0758
39. 01-R-0456
40. 01-R-0654

**ITEMS ADOPTED  
ON CONSENT  
AGENDA**

41. 01-R-0757
42. 01-R-0698
43. 01-R-0699
44. 01-R-0700
45. 01-R-0764
46. 01-R-0649
47. 01-R-0658
48. 01-R-0659
49. 01-R-0661
50. 01-R-0662
51. 01-R-0673
52. 01-R-0677
53. 01-R-0678
54. 01-R-0679
55. 01-R-0680
56. 01-R-0681
57. 01-R-0682
58. 01-R-0683
59. 01-R-0760
60. 01-R-0684

**ITEMS ADVERSE  
ON CONSENT  
AGENDA**

61. 01-R-0685
  62. 01-R-0686
  63. 01-R-0687
  64. 01-R-0688
  65. 01-R-0689
  66. 01-R-0690
  67. 01-R-0691
  68. 01-R-0692
  69. 01-R-0693
  70. 01-R-0694
  71. 01-R-0695
  72. 01-R-0697
  73. 01-R-0761
  74. 01-R-0762
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